

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

MAJOR LEAGUE BASEBALL
PROPERTIES, INC. and CHICAGO CUBS
BASEBALL CLUB, LLC,

Plaintiffs,

v.

TOUSSIANT STEVENS; *et al.*,

Defendants.

Civil Action No. 1:16-cv-09140

**PLAINTIFFS' MOTION FOR LEAVE TO FILE
THEIR SEVENTH AMENDED COMPLAINT**

Plaintiffs Major League Baseball Properties, Inc. and Chicago Cubs Baseball Club, LLC request leave to file their Seventh Amended Complaint. In support of this motion, Plaintiffs state the following:

1. Plaintiffs request leave to file their Seventh Amended Complaint in order to substitute Keith Lambert, individually and d/b/a National Team Sports, Terry Volk, Michael Marziotto, Geraldo Camara, Calvin Smith, Ricardo Gijada-Castillo, Keith Higgins, Khaliph Simmons, David Brown, Kenneth Briggs, Arthur Miles (the “New Defendants”) for previously named Does. Each of these Defendants has advertised, marketed, distributed, offered for sale and/or sold Infringing Goods since this Action was filed.

2. Federal Rule of Civil Procedure 15(a)(2) allows parties to amend their pleadings with the district court’s leave, which should be freely given when justice so requires. Under this broad standard, the district court should “allow amendment unless there is a good reason—futility, undue delay, undue prejudice, or bad faith—for denying leave to amend.” *Life Plans, Inc. v. Sec. Life of Denver Ins. Co.*, 800 F.3d 343, 357–58 (7th Cir. 2015) (citing *Foman v.*

Davis, 371 U.S. 178, 182 (1962)). None of the exceptions that might justify denying amendment is present in this case.

3. There also is no harm to these Defendants, as this case is in its very early stages. *Orix Credit All., Inc. v. Taylor Mach. Works, Inc.*, 125 F.3d 468, 480 (7th Cir. 1997).

For these reasons, Plaintiffs Major League Baseball Properties, Inc. and Chicago Cubs Baseball Club, LLC request leave to file their Seventh Amended Complaint.

Dated: December 8, 2016

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